IN THE COURT OF UTTARANCHAL AT NAINITAL.

Writ Petition No. 1367 (S/S) of 2001
Old Number
Writ Petition No. 26522 of 1994

Vijai Kuar Agarwal,
S/o Sri Hari Krishan Agarwal,
R/o Old ITI Opposite Bhargawa Motors,
Haldwani,
District – Nainital. **.....Petitioner**

Versus

1. The Managing Director, U.P. Cooperative Federation, 32, Station Road, Lucknow.
2. The General Manager, (Administration), U.P. Cooperative Federation, 32, Station Road, Lucknow.
3. The project Manager, Soyabin Project, Haldu Chaud, Haldwani District – Nainital.
4. The Chief Chemist, Soyabin Project, Haldu Chaud, Haldwani, District – Nainital.
5. Sri S.P. Saxena, Chief Chemist, Soyabin Project, Haldu Chaud, Haldwani – Nainital.

.....Respondents

Hon'ble M.M. Ghildiyal, J.

Heard Sri S.S. Chaudhary, learned counsel for the petitioner. No one is present on behalf of respondents.

Present writ petition is preferred against the order dated 22.06.1994 passed by respondent no. 1 by which the petitioner, who was working as Operator Gr. II at the relevant time, in Soyabin Project, Haldu Chaud, Haldwani, has been suspended for certain charges and one Sri V.N. Shukla, Sr. Manger, was appointed as Inquiry Officer.

Learned counsel for the petitioner is not in a position to inform the court whether the petitioner is still under suspension or suspension order has revoked or any final

order has been in the departmental proceedings initiated against the petitioner or not?

An employee cannot be placed under suspension for such a long period. In case, petitioner is still under suspension, in view of the fact that suspension order was passed in the year 1994, I direct the respondents to keep the suspension order in abeyance till final order is passed in the departmental proceedings initiated against the petitioner. In case, no final order has been passed till today respondents are directed to pass final order within a period of three weeks from the date of production of certified copy of this order.

With this direction the writ petition is finally disposed of. No order as to costs.

(M.M. Ghildiyal, J)

August 03, 2006
SKSharma